
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

EAGLEVIEW TECHNOLOGIES, INC.
and PICTOMETRY INTERNATIONAL
CORP.,

Plaintiffs,

v.

NEARMAP US, INC., NEARMAP
AUSTRALIA PTY LTD, and NEARMAP
PTY LTD,

Defendants.

MEMORANDUM DECISION AND
ORDER GRANTING IN PART THE
PARTIES' JOINT MOTION TO SET
CLAIM CONSTRUCTION HEARING

Case No. 2:21-CV-283-TS-DAO

District Judge Ted Stewart

This matter is before the Court on the parties' Joint Motion to Set Claim Construction Hearing.¹ The parties dispute the proper construction of specified claim terms in the 13 asserted patents at issue in this case. Having carefully reviewed the parties' respective claim construction briefing,² the Court finds a hearing will be materially helpful to the Court on eight of the disputed claim terms and will, accordingly, grant the Motion in part. The Court will hear argument on the construction of the following claim terms:

- “roof report/roof estimate report”
- “aerial image(s)/aerial images file(s)”
- “oblique image(s)”
- “calibrating, calibrate, calibrated, using calibration information”
- “three-dimensional model/3D model”

¹ Docket No. 418.

² Docket Nos. 244, 245, 249, 250, 397, 404, 420, and 421.

- “primary oblique image including overlapping data”
- “the [first and second / plurality of] aerial images . . . taken independent[ly] of each other”
- “oblique aerial image(s)”

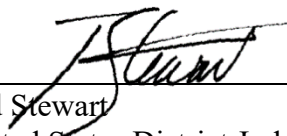
The Court will set a three-hour hearing to begin at 9:00 a.m. on May 7, 2025, to conduct a claim construction hearing. The parties shall each have a total of 90 minutes to present their argument. The Court agrees with the parties that the arguments should proceed term by term with Nearmap presenting its arguments first to be followed by EagleView. The Court will defer to the parties on the order in which the terms are presented. Finally, the Court requests that the technology tutorial be submitted in accordance with LPR 4.5, as opposed to a live presentation.

It is therefore

ORDERED that the parties’ Joint Motion to Set Claim Construction Hearing (Docket No. 418) is GRANTED in part.

DATED this 31st day of March, 2024.

BY THE COURT:



Ted Stewart
United States District Judge